

Decision No. 28856.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the Matter of the Application of
THE CITY OF OCEANSIDE, a municipal
corporation, for the construction
and establishment of a crossing
over the tracks of the Oceanside
Escondido Branch of The Atchison,
Topeka & Santa Fe Railway Company.

Application No. 19240.

BY THE COMMISSION:

ORIGINAL

O R D E R

The City Council of the City of Oceanside, County of San Diego, State of California, on December 21, 1933, applied for authority to construct a public street known as Crouch Street at grade across the track of Escondido Branch of The Atchison, Topeka and Santa Fe Railway Company in the said City of Oceanside. The Atchison, Topeka and Santa Fe Railway Company, on January 19, 1934, signified, in writing, that it has no objection to the construction of said crossing at grade. It appearing that a public hearing is not necessary herein; that it is neither reasonable nor practicable at this time to provide a grade separation or to avoid a grade crossing with said track at the point mentioned and that the application should be granted, subject to certain conditions,

IT IS HEREBY ORDERED that the City Council of the City of Oceanside, in the County of San Diego, State of California, is hereby authorized to construct Crouch Street at grade across the

track of Escondido Branch of The Atchison, Topeka and Santa Fe Railway Company, at the location more particularly described in the application and as shown by the maps (Exhibits A, B and C) attached thereto, subject to the following conditions and not otherwise:

- (1) The above crossing shall be identified as Crossing No. 2E-1.6.
- (2) The entire expense of constructing the crossing shall be borne by applicant. The cost of maintenance of that portion of said crossing outside of lines two (2) feet outside of the outside rails shall be borne by applicant. The maintenance of that portion of the crossing between lines two (2) feet outside of the outside rails shall be borne by The Atchison, Topeka and Santa Fe Railway Company. No portion of the cost herein assessed to applicant for the construction or maintenance of said crossing shall be assessed by applicant, in any manner whatsoever, to the operative property of The Atchison, Topeka and Santa Fe Railway Company. The Atchison, Topeka and Santa Fe Railway Company shall perform all actual work of constructing the crossing between lines two (2) feet outside of the outside rails.
- (3) The crossing shall be constructed of a width of not less than twenty-four (24) feet and at an angle of approximately seventy-five (75) degrees to the railroad and with grades of approach not greater than four (4) per cent; shall be constructed equal or superior to type shown as Standard No. 2 in our General Order No. 72; shall be protected by a Standard No. 1 crossing sign, as specified in our General Order No. 75-A, and shall in every way be made suitable for the passage thereon of vehicles and other road traffic.
- (4) Applicant shall, within thirty (30) days thereafter, notify this Commission, in writing, of the completion of the installation of said crossing, and of its compliance with the conditions hereof.

- (5) The authorization herein granted shall lapse and become void if not exercised within one (1) year from the date hereof unless further time is granted by subsequent order.
- (6) The Commission reserves the right to make such further orders relative to the location, construction, operation, maintenance and protection of said crossing as to it may seem right and proper and to revoke its permission if, in its judgment, public convenience and necessity demand such action.

The authority herein granted shall become effective
on the date hereof.

Dated at San Francisco, California, this 5th day
of March, 1934.

P. C. Lewis
Leon A. Whittell
M. J. Linn
M. B. Lanning
Walter W. Ware

Commissioners.